

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:

LEHMAN BROTHERS HOLDINGS INC., *et al.*,

Case No. 08-13555-SCC

Chapter 11

Debtors.

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LEHMAN BROTHERS HOLDINGS INC.,

Adversary Proceeding

Plaintiff,

No. 16-01313-scc

- against -

FIRST CALIFORNIA MORTGAGE COMPANY,

Defendant.

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**DECLARATION OF TRACY L. HENDERSON, ESQ IN SUPPORT OF THE MOTION  
TO WITHDRAW AS COUNSEL FOR FIRST CALIFORNIA MORTGAGE COMPANY**

I, Tracy L. Henderson, Esq being duly sworn, state the following under penalty of  
perjury:

1. I am the senior litigation counsel at the law firm of American Mortgage Law Group,  
P.C.. (“AMLG”).
2. I am the lead attorney from AMLG for defendant First California Mortgage  
Company (“First Cal”) in the above captioned adversary proceeding.
3. I am a member in good standing of the Bar of the State of California, and I have been  
admitted to practice *pro-hac vice* in the United States Bankruptcy Court for the  
Southern District of New York. There are no disciplinary proceedings pending  
against me.
4. First Cal has not paid any legal fees to AMLG since December 11, 2017.

5. First Call has also failed to pay its legal fees to Blank Rome LLP, its Local Counsel in this matter.
6. AMLG has been trying to contact First Cal to obtain payment on account since January 2018.
7. On or about February 20, 2018, AMLG was contacted by Michael St. James by letter. Mr. St. James represented that he was retained by FirstCal in connection with a potential insolvency proceeding.
8. On June 29, 2018, after several months of calling and emailing Mr. St. James regarding whether or not he would substitute into this matter, he advised he would not.
9. Thereafter, I tried to reach the principals of First Cal via email and phone, but was unsuccessful. I received no response. I did speak to the former president of First Cal, who directed me to Chris and Dennis Hart.
10. On or about August 1, 2018, I received a request for another FirstCal file from former general counsel Sally Fryer. I emailed and left several voicemails regarding the contact information for Chris Hart so I could ascertain whether FirstCal has counsel to substitute into the matter.
11. On August 23, 2018, I received an email from Chris Hart. Mr. Hart directed AMLG to provide the contact information for the Plaintiff's counsel to Michael St. James, Esq. I requested a substitution of counsel be executed, but Mr. Hart did not respond to that request.

12. Mr. St. James thereafter responded on August 24, 2018 and advised me he would not substitute into the case but that he intended to contact Plaintiff's counsel regarding same.

13. Mr. Hart has not provided an alternative counsel to date for substitution. As such, I filed this motion.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 30, 2018

/s/ Tracy L. Henderson, Esq.

Tracy L. Henderson, Esq  
Senior Litigation Counsel  
American Mortgage Law Group